

Senate Study Bill 1019 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON KAPUCIAN)

A BILL FOR

1 An Act prohibiting the use of automated traffic law enforcement
2 systems by the department of transportation and regulating
3 the use of other automated traffic law enforcement systems.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, Code 2017, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 06B. "*Automated traffic law enforcement*
4 *system*" means a device that is used for the enforcement of laws
5 regulating vehicular traffic and that is equipped with one or
6 more sensors working in conjunction with one of the following:

7 a. An official traffic-control signal, to produce recorded
8 images of motor vehicles entering an intersection against a red
9 signal light.

10 b. A speed measuring device, to produce recorded images of
11 motor vehicles traveling at a prohibited rate of speed.

12 c. A railroad grade crossing signal light, as described
13 in section 321.342, to produce recorded images of vehicles
14 violating the signal light.

15 d. Any official traffic-control device, if failure to comply
16 with the official traffic-control device constitutes a moving
17 violation under this chapter.

18 Sec. 2. NEW SECTION. 321.492C Automated traffic law
19 enforcement systems.

20 1. The department shall not place, cause to be placed,
21 operate, maintain, or employ the use of any automated traffic
22 law enforcement system.

23 2. A local authority, or another entity on a local
24 authority's behalf, shall not operate an automated traffic law
25 enforcement system without the approval of the department.
26 The department shall approve the operation of an automated
27 traffic law enforcement system only if the system is located in
28 a documented high-crash or high-risk location and there is a
29 demonstrated safety need for the system. The department shall
30 adopt rules to administer this subsection.

31 3. All moneys collected by a local authority from
32 citations issued as a result of the use of an automated
33 traffic law enforcement system, less the amount necessary
34 for the installation, operation, and maintenance of the
35 automated traffic law enforcement system, shall be deposited

1 in the account or accounts maintained by the local authority
2 for moneys appropriated to the local authority from the
3 secondary road fund or street construction fund of the cities,
4 as applicable. This subsection shall not apply to moneys
5 collected for court costs or other associated costs, the
6 criminal penalty surcharge required by section 911.1, or the
7 county enforcement surcharge required by section 911.4.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill prohibits the department of transportation (DOT)
12 from placing, causing to be placed, operating, maintaining,
13 or employing the use of any automated traffic law enforcement
14 system.

15 The bill prohibits a local authority, or another entity on a
16 local authority's behalf, from operating an automated traffic
17 law enforcement system without the approval of the DOT. The
18 bill provides that the DOT shall approve the operation of an
19 automated traffic law enforcement system only if the system is
20 located in a documented high-crash or high-risk location and
21 there is a demonstrated safety need for the system.

22 The bill also requires all moneys collected by a local
23 authority from citations issued as a result of the use of
24 an automated traffic law enforcement system, less the amount
25 necessary for the installation, operation, and maintenance
26 of the system, to be deposited in the account or accounts
27 maintained by the local authority for moneys appropriated to
28 the local authority from the secondary road fund or street
29 construction fund of the cities, as applicable. This provision
30 does not apply to moneys collected for court costs or other
31 associated costs, the criminal penalty surcharge, or the county
32 enforcement surcharge.